

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUL 07 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 07 1999

The applicant Thomas E. Bilbao & Francis Bilbao and Thomas A. Riggs & Lorelle Riggs as trustees of the Thomas A. Riggs Family 1994 Living Trust, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is 1.0 cfs. second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Industrial**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point Lot 2 of Section 3, T.35N., R.57E, MDB&M., at a point from which the Northeast corner of said Section 3 bears N 74° 20' 43" E, 1802.80 feet.
6. Place of Use SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T.36N. - R.57E., MDB&M., Lots 1 and 2 and portions of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Section 3, T.35N. - R.57E., MDB&M
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well, pump, pipes and $\frac{1}{4}$ acre settling pond**
9. Estimated cost of works **\$20,000**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **This application is for water to operate a sand and aggregate wash plant. The estimated annual consumptive use for the waters retained in the sand and gravel produced by the plant,**

evaporation from the $\frac{1}{4}$ acre settling pond, and waters for dust suppression is 12,5000,000 gallons.

HIGH DESERT Engineering, Agent
By s/Robert E. Morley
640 Idaho Street
Elko, NV 89803

Compared my/cmf dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well must be sealed with cement grout, concrete grout, or neat cement from ground level to the first impermeable layer or 100 feet whichever is greater.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 12.5 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 12, 2001

Proof of completion of work shall be filed before:

December 12, 2001

Water must be placed to beneficial use on or before:

November 12, 2004

Proof of the application of water to beneficial use shall be filed on or before:

December 12, 2004

Map in support of proof of beneficial use shall be filed on or before:

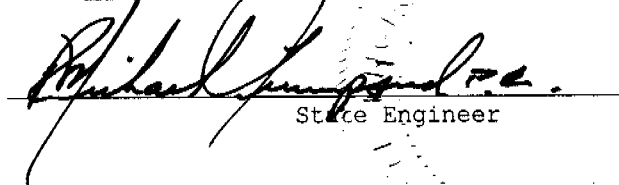
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of, November A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____